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United States Department of Labor

10 UNITED STATES DISTRICT COURT FOR
11 THE NORTHERN DISTRICT OF CALIFORNIA

12 ELAINE L. CHAO, Secretary) Case No.
13 of Labor, UNITED STATES) 3:08-CV-04128-PJH
DEPARTMENT OF LABOR,)
14)
Petitioner,)
15)
v.) **CONSENT ORDER**
16)
MATTHEW J. DONNELLY d/b/a/ The)
17 BUSINESS APPRAISAL INSTITUTE,)
18 Respondents.)
19)

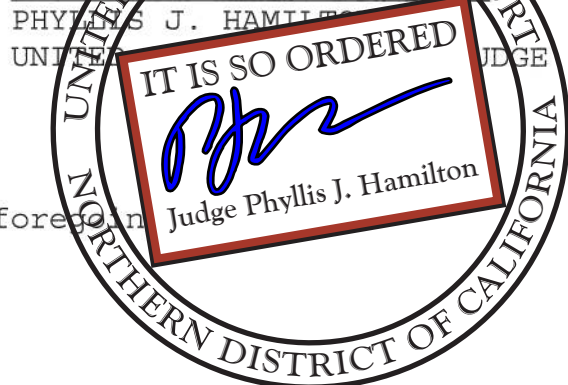
20 Petitioner ELAINE L. CHAO, Secretary of Labor, United
21 States Department of Labor ("the Secretary"), Respondent Matthew
22 J. Donnelly d/b/a The Business Appraisal Institute, by and
23 through their respective counsel, have resolved the dispute
24 addressed in Petitioner's Petition to Enforce Administrative
25 Subpoena *Duces Tecum* [Document ("Doc.") No. 1]. The Court
26 issued an Order to Show Cause on September 5, 2008 (Doc. No. 7);
27 the parties received notice of this Order, setting a hearing
28

1 scheduled for September 17, 2008. The parties do now consent to
 2 entry of this Order by this Court in accordance herewith.

3 After the filing of the Petition, the parties reached
 4 an agreement whereby Respondent agreed to provide copies of all
 5 documents responsive to the Subpoena. Pursuant to the
 6 agreement, Respondent has produced hard copy documents and
 7 electronic computer files containing documents responsive to the
 8 Subpoena. It appears to the Petitioner that at least most, if
 9 not all, documents responsive to the Subpoena have now been
 10 produced by Respondent. Respondent has further agreed that in
 11 the event Petitioner believes additional documents need to be
 12 produced, he will produce any such documents no later than
 13 October 1, 2008. At that time, Petitioner anticipates dismissing
 14 the Petition as moot.

15 Accordingly, it is hereby ORDERED that the hearing
 16 ^{September 17}
 17 scheduled for ~~October 1~~, 2008, is hereby cancelled.


18 Dated: September 16, 2008



The parties move for entry of the foregoing

Sep-16-08 05:00pm From-

T-981 P.003/004 F-919

1
2 By: 
3 Larry Israel
4 Attorney for Petitioner

GREGORY F. JACOB
Solicitor of Labor

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6 By: /s/ Dane L. Steffenson
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9 SOL Case No. 08-60050